

REMARKS**Claims 1-8 and 10-16 are allowable**

Claims 1-8 and 10-16 were rejected under 35 U.S.C. § 102 as being unpatentable over U.S. Patent No. 6,097,515 to Pomp, et. al. ("Pomp"). Claims 1, 8, 10, 11 and 16 have been amended to better define the claimed invention.

With respect to claim 1, Pomp fails to disclose each and every element of this claim. For example, claim 1 recites "a test and control system including a first input coupled to a technician terminal, a first output to send a command signal to an automated circuit switchover system within a telephone central office and a second output coupled to a switchable protection circuit." This element is not disclosed by Pomp. Instead, Pomp discloses an operations control center coupled to a central office switch. (See Pomp, Fig. 1). The operations control center of Pomp does not include a second output coupled to a switchable protection circuit. Accordingly, Pomp fails to disclose each and every element of claim 1.

With respect to claim 10, the claim recites the following elements: "sending a program code to the remote switch protection device via a first communication path from the automated test system to the remote switch protection device to request the remote switch protection device to swap the individual subscriber communication line with a spare communication line" and "sending a switch-to-spare circuit command to a telephone exchange via a second communication path from the automated test system to the telephone exchange, the telephone exchange including a telephone circuit communicatively coupled to the individual subscriber communication line and to the remote switch protection device, the telephone exchange automatically switching the telephone circuit from the individual-subscriber communication line to the spare communication line." Pomp fails to disclose at least these two elements. As explained above, the operations control center of Pomp is coupled to a central office switch, and does not include a first communication path from an automated test system to a remote switch protection device and the Pomp operations control center doesn't send a program code to a remote switch protection device via the first communication path from the automated test system

to the remote switch protection device, as recited by claim 10. Accordingly, Pomp fails to disclose each and every element of claim 10.

With respect to claim 16, the claim recites the following elements: "communicating a program code over a first communication path from the automated test system to a switch protection device, the switch protection device supporting the subscriber communication line, the program code to request the switch protection device to swap the subscriber communication line with a spare communication line" and "communicating a switch-to-spare circuit command over a second communication path from the automated test system to a telephone exchange, the telephone exchange including a telephone circuit communicatively coupled to the subscriber communication line and to the switch protection device via a DS1 communications link, the telephone exchange automatically switching the telephone circuit from the subscriber communication line to the spare communication line." Pomp fails to disclose at least these two elements. As explained above, the operations control center of Pomp includes only a single communication path to a central office switch, and does not include a first communication path from an automated test system to a switch protection device and the Pomp operations control center doesn't send a program code to a switch protection device over the first communication path from the automated test system to the remote switch protection device, as recited by claim 16. Accordingly, Pomp fails to disclose each and every element of claim 16.

Claims 2-8 and 11-15 depend from independent claims 1 and 10, respectively. Accordingly, Pomp fails to disclose each and every element of these claims at least by virtue of their dependence on claims 1 and 10. Furthermore, claims 2-8 and 11-15 recite additional limitations not disclosed by Pomp.

Therefore, for at least the reasons set forth above, Pomp fails to disclose each and every element of claims 1-8 and 11-16. Accordingly, Applicant respectfully requests that the rejection of these claims be withdrawn and the claims passed to allowance.

Claim 9 is allowable

Claim 9 was rejected under 103(a) as being unpatentable over Pomp in view of U.S. Patent No. 4,074,072 to Christensen, et. al. ("Christensen"). Claim 9 depends from claim 1. As

explained above, Pomp fails to disclose or suggest each and every element of claim 1. Moreover, Christensen fails to disclose or suggest each and every element of claim 1, including those elements lacking in Pomp. For example, Christensen does not disclose or suggest "a test and control system including a first input coupled to a technician terminal, a first output to send a command signal to an automated circuit switchover system within a telephone central office and a second output coupled to a switchable protection circuit" as recited in claim 1. Accordingly, Pomp and Christensen fail to disclose or suggest each and every element of claim 9, at least by virtue of its dependence on claim 1.

Therefore, for at least the reasons set forth above, Pomp and Christensen fails to disclose or suggest each and every element of claim 9. Accordingly, Applicant respectfully requests that the rejection of these claims be withdrawn and the claims passed to allowance.

New Claims

Claims 17-19 have been added. These claims are dependent on claim 16. Thus, claims 17-19 are allowable over the cited references for at least the reasons presented above for claim 16. Consideration of these claims is respectfully requested.

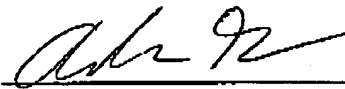
Conclusion

Applicant respectfully submits that the present application is in condition for allowance. Accordingly, the Examiner is respectfully requested to reconsider the pending application and issue a Notice of Allowance for all pending claims. If, for any reason, the Office is unable to allow the Application on the next Office Action, and believes a telephone interview would be helpful, the Examiner is respectfully requested to contact the undersigned attorney or agent.

The Commissioner is hereby authorized to charge any fees that may be required, or credit any overpayment, to Deposit Account Number 50-2469.

Respectfully submitted,

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Date


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